

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

STATE OF DELAWARE, *ex rel.*  
KATHLEEN JENNINGS, Attorney  
General of the State of Delaware,

Plaintiff,

v.

BP AMERICA INC., BP P.L.C., CHEVRON  
CORPORATION, CHEVRON U.S.A. INC.,  
CONOCOPHILLIPS, CONOCOPHILLIPS  
COMPANY, PHILLIPS 66, PHILLIPS 66  
COMPANY, EXXON MOBIL  
CORPORATION, EXXONMOBIL OIL  
CORPORATION, XTO ENERGY INC., HESS  
CORPORATION, MARATHON OIL  
CORPORATION, MARATHON OIL  
COMPANY, MARATHON PETROLEUM  
CORPORATION, MARATHON  
PETROLEUM COMPANY LP, SPEEDWAY  
LLC, MURPHY OIL CORPORATION,  
MURPHY USA INC.,  
ROYAL DUTCH SHELL PLC, SHELL OIL  
COMPANY, CITGO PETROLEUM  
CORPORATION, TOTAL S.A.,  
TOTALENERGIES MARKETING USA, INC.,  
OCCIDENTAL PETROLEUM  
CORPORATION, DEVON ENERGY  
CORPORATION, APACHE CORPORATION,  
CNX RESOURCES CORPORATION,  
CONSOL ENERGY INC., OVINTIV, INC.,  
and AMERICAN PETROLEUM INSTITUTE,

Defendants.

Case No. 1:20-cv-01429-LPS

**DEFENDANTS' NOTICE OF APPEAL**

Notice is hereby given that Defendants BP America Inc., BP p.l.c., Chevron Corporation,  
Chevron U.S.A. Inc., ConocoPhillips, ConocoPhillips Company, Phillips 66, Phillips 66

Company, Exxon Mobil Corporation, ExxonMobil Oil Corporation, XTO Energy Inc., Hess Corporation, Marathon Oil Corporation, Marathon Petroleum Corporation, Marathon Petroleum Company LP, Speedway LLC, Murphy Oil Corporation, Murphy USA Inc., Royal Dutch Shell plc, Shell Oil Company, CITGO Petroleum Corporation, Total S.A., TotalEnergies Marketing USA, Inc., Occidental Petroleum Corporation, Devon Energy Corporation, Apache Corporation, CNX Resources Corporation, CONSOL Energy Inc., Ovintiv Inc., and American Petroleum Institute, pursuant to 28 U.S.C. §§ 1291 and 1447(d), appeal to the United States Court of Appeals for the Third Circuit from the Order granting Plaintiff's Motion to Remand, D.I. 121, entered in this action on January 5, 2022.<sup>1</sup>

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<sup>1</sup> This Notice of Appeal is submitted subject to and without waiver of any defense, affirmative defense, or objection, including personal jurisdiction.

Dated: January 13, 2022

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Pursuant to Rule 12(b) of the Federal Rules of Appellate Procedure, Defendants submit this Representation Statement. The following list identifies all parties to the action, and also identifies their respective counsel by name, firm, address, telephone number, and email, where appropriate.

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